

with bombings and beheadings, who dreams of inflicting massive violence on the American people.

These same enemies sent suicide bombers to murder innocent Jordanians only a few weeks ago. They despise freedom, and they are bending every effort to derail the democratic process.

But they will not succeed.

I am confident that America and her allies will prevail. I am confident that we will defeat the terrorist enemy and bury its twisted aims.

And all the while, we will continue to stand behind Iraq, Afghanistan and all champions of freedom as they work to secure the blessings of liberty.

RETIREMENT OF MR. ROBERT J. SHUE

Mr. STEVENS. Mr. President, I rise to pay tribute to Robert J. Shue, a senior official in the Office of the Under Secretary of Defense, Comptroller, who in early January, 2006, will retire from a distinguished career spanning 37 years of exemplary service to America.

Mr. Shue began his career serving over 13 years in the Bureau of Economic Analysis in the Department of Commerce. He joined the Department of Defense in 1982 and quickly became a highly valuable member of the Secretary of Defense's staff.

During his 23 years in the Comptroller's office, Mr. Shue was a highly respected leader and expert on the Defense Department budget and a wide range of related matters. He played a critical role in the formulation, approval, and execution of defense budgets that produced a much-needed strengthening of America's defense posture and enabled our military to fulfill its many demanding commitments.

Mr. Shue developed and led a diverse staff of analysts and liaison officers and made his office the Defense Department's primary leader in tracking and resolving high-level budget issues. He meticulously tracked numerous and complex actions affecting the funding available to the Department. He was a pivotal leader in presenting and justifying each new budget to the Congress and the American public.

Mr. Shue was vital to the Department's analysis of congressional action on Defense Department funding and to devising strategies to influence that action. He skillfully led staff in achieving and sustaining a highly productive relationship with congressional oversight committees. This resulted in accurate and constructive information flow between Congress and the Department, helping each meet its responsibilities more successfully.

Mr. Shue produced substantial top-quality analysis on complex economic, fiscal, and budget topics for the Secretary of Defense and other senior DoD leaders. He also improved support for these leaders by initiating important management reforms that saved staff

time and improved the quality of decision making data.

For his extraordinary achievements, Mr. Shue received the Presidential Rank Award for Meritorious Service. He earned the deep respect of leaders throughout the Department of Defense, in the Office of Management and Budget, and with Congress's defense oversight committees. These leaders benefited enormously from his exceptional knowledge and dedication. Mr. Shue's service has substantially helped our Nation's leaders make the wisest possible allocation of its defense resources in order to ensure America's future security.

Throughout his distinguished career, Mr. Shue has had the resolute support of his wife, Suzi, and his three children. He has earned the deep gratitude of the American people. I wish Mr. Shue and his family all the best in the coming years.

GIVE OUR VETERANS THE CARE THEY'VE EARNED

Mr. BYRD. Mr. President, it has been 3 weeks since President Bush signed into law the 2006 spending bill providing funding for the Department of Veterans Affairs. Unfortunately, his signature was accompanied by a glaring asterisk. Instead of approving the full amount of funding that Congress provided for veterans health care, the President bottled up \$1.2 billion in emergency funding that the VA urgently needs to make ends meet.

Congress added the emergency money to the bill after discovering that the President's 2006 budget request for the VA was woefully inadequate, compounding a series of errors in funding assumptions by the administration that led to a massive shortfall in VA funding in fiscal year 2005.

The \$1.2 billion in emergency funding was not some kind of optional Christmas bonus for America's veterans. It is money that the VA needs to cover the baseline cost of veterans health care programs. But that money cannot be released to the VA until the President signs on the dotted line and designates it as an emergency. Unless and until the President acts, the money will simply languish in the Treasury, benefiting nobody while jeopardizing the VA's ability to meet the needs of veterans. Make no mistake about it: without this money, the VA will experience another shortfall in funding in 2006, and veterans will suffer the consequences of diminished services and longer waiting times for health care.

So why is the President sitting on this money? When Congress passed the VA funding bill, I wrote to the President urging him to release the emergency funding at the same time, thus assuring veterans that health care services will continue uninterrupted for the next year. But for some reason, the President has chosen not to release the emergency money. Instead of sending the VA the full amount of funding

that Congress appropriated for veterans health care in 2006—a total of \$22.5 billion—the President has chosen to hold \$1.2 billion hostage at the White House.

What possible reason could the President have for refusing to relinquish this money to the VA? Does he expect America's veterans to beg for the money? Could he possibly fail to understand the importance of fully funding the VA health care program? Or could he have somehow forgotten the chaos last summer when the VA revealed that it had at least a \$1 billion shortfall in health care funding for 2005, and was facing another gaping shortfall in 2006?

What kind of a signal does this send to our Nation's veterans, and to our men and women fighting in Iraq and Afghanistan?

Congress has worked diligently over the past 6 months to clean up the budget mess in the VA. As a result of amendments that I spearheaded in the Appropriations Committee and on the floor, the Senate seized the initiative to provide emergency funding to cover the shortfall that occurred in 2005 and to head off another shortfall in 2006. The administration, by contrast, had to be dragged to the table and only grudgingly owned up to the catastrophic consequences of its sloppy and inept budget estimates.

Congress has acted. Now the ball is in the President's court, and the clock is ticking. Mr. President, I again call on the President to immediately release the \$1.2 billion in emergency funding for veterans' health care that Congress has provided.

MILITARY AID TO INDONESIA

Mr. DURBIN. Mr. President, just 1 month ago, this Congress approved the Department of State, Foreign Operations, and Related Programs Appropriations Act, of 2006. President Bush signed the bill into law on November 14. The act contains strong language concerning the political and military situation in Indonesia.

Congress requested from the administration evidence of genuine progress in military reform, the protection of human rights, and accountability for crimes against humanity. It asked for such evidence before the administration made available to Indonesia any funds appropriated under the Foreign Appropriations Act for the Foreign Military Financing Program and before it issued any licenses for the export of lethal defense articles for the Indonesian Armed Forces.

Congress also gave the administration the authority to waive these conditions when it is in the interests of national security to do so, as it usually does when placing these kinds of conditions on this or any administration.

To measure the desired improvements in military reform, we asked the State Department to certify that, No. 1, the Indonesian Government is prosecuting and punishing, in a manner

proportional to the crime, members of the Armed Forces who have been credibly alleged to have committed gross violations of human rights; No. 2, at the direction of the President of Indonesia, the Armed Forces are cooperating with civilian judicial authorities and with international efforts to resolve cases of gross violations of human rights in East Timor and elsewhere; and No. 3, at the direction of the President of Indonesia, the Government of Indonesia is implementing reforms to improve civilian control of the military.

Congress does not make these requests lightly, and we based our decision on four decades of Indonesian history and U.S.-Indonesian relations. The Indonesian Armed Forces have frequently acted to forestall progress and the growth of democracy in Indonesia. Over the last decade, taking note of this, Congress has placed certain restrictions on military assistance to Indonesia, and—over that same span of time—we have seen certain positive changes in TNI behavior.

This progress is occurring—of course—in a larger context. Indonesia is making commendable progress in building one of the world's largest democracies, with democratic elections most recently in 2004.

Congress did not include the conditions on aid for Indonesia's military contained in the Foreign Operations Act to hinder the development of Indonesian democracy or punish the Indonesian people, but to assist them as they build a better future for their country.

The Indonesian Armed Forces have rightly been criticized in the past, but I also want to emphasize the changes we have seen, the positive steps Indonesia's military authorities have taken. Those steps are important and praiseworthy.

The Armed Forces have revised their old "Dual Function" doctrine, an artifact of the Sukarno and Suharto years, under which the Armed Forces claimed both a military and a socio political role in the life of the Indonesian state.

Under Suharto, military officers also served as parliamentarians, provincial governors, mayors, civil servants, and teachers. The Armed Forces also controlled the police. They effectively controlled giant industrial and commercial concerns such as the state oil company.

That has stopped. The TNI has stepped back from politics, and given up its reserved seats in the Indonesian Parliament.

Indonesia's military officers have shown repeatedly in recent years that they accept their place in the new Indonesia, and during their country's last two national elections, they have behaved in an exemplary fashion.

When Indonesia suffered the terrible blows inflicted upon it by last December's tsunami, the Indonesian military acted with bravery and great humanity to bring assistance to the victims of that most terrible natural disaster.

We recognize what they have done and we admire their commitment to the new and more democratic system their country is building.

Sadly, while the Indonesian Armed Forces have done a great deal, they have not done enough. Too many reasons for serious concern remain.

Six years after the TNI's involvement in East Timor's referendum on independence left 1,400 people dead, the Indonesian authorities have not brought one Indonesian officer to justice for abuses committed in the Timorese capital of Dili and elsewhere in that island nation. Indeed, some officers suspected of serious abuses have received not punishment or censure, but promotions to higher grades of their services.

There are numerous cases of human rights activists being harassed and even murdered, and we still have not seen justice for these victims.

Last year, when Indonesia's Parliament was considering a South African-style truth and reconciliation commission to discuss past atrocities, military officials objected—strongly and publicly—to the inclusion of "truth" in the commission's title, warning any ensuing investigation into past human rights crimes would not help the aim of building national unity.

During that debate, a retired Indonesian major general serving in Parliament, a man named Djasri Marin, said a remarkable thing. According to Australia's *The Age* newspaper, he said, "If we reveal everything, it will be far from the idea of reconciliation, because there will be trials." He added, "If we want to disclose everything for the sake of mere truth, it will prevent us from real reconciliation . . . Let's bury the past and step towards the future."

It will be difficult to move into a common future in a unified fashion if the Indonesian military cannot own up to its past and take responsibility for its actions. That is one reason why we need to continue promoting positive change within the Indonesian Army. We need to continue pressing for evidence of genuine military reform, human rights protections, and accountability for crimes against humanity, just as Congress has requested.

In plain and simple language, Congress made its intent clear, asking the administration for evidence of genuine improvement in these three areas. It seems unlikely that either the President or the Secretary of State could have misunderstood or misconstrued this congressional expression of intent. Still, only a week after President Bush signed the Foreign Operations bill into law, the State Department hastily waived these conditions on military assistance, squandering an opportunity to encourage the TNI and Indonesian authorities to engage in meaningful reforms.

The waiver authority, granted to the administration by Congress, comes with implicit expectations by Congress

that the administration will use it wisely and well. During the few days that passed between the time the President affixed his signature to the Foreign Appropriations Act and the moment Under Secretary of State Nicholas Burns affixed his signature to the waiver, the President has little time to act on congressional concerns.

We certainly saw no major advances in the three areas marked out by Congress. The TNI took no new steps to assure the appropriate prosecution and punishment of TNI members credibly alleged to have committed gross violations of human rights. The TNI took no new steps to show it is cooperating with civilian judicial authorities and with international efforts to resolve cases of gross violations of human rights in East Timor and elsewhere. The Indonesian authorities took no new steps to improve civilian control of the military. How could they? A week is hardly any time.

The great irony of all this is that the amount of assistance affected would have been small; small, but of great symbolic importance. I regret to say that the administration's decision to waive these conditions on national security grounds is also of great symbolic importance. Congress was promoting accountability and the rule of law in a democratic system. The Department of State has said the administration remains committed to accountability, but its actions suggest otherwise.

To waive these conditions in such a preemptory fashion raises serious questions about the relationship this administration has decided to have with Congress. In truth, it makes a mockery of the waiver process. Can we trust the administration to implement conditions like this in good faith? They waived the conditions—on supposed national security grounds—a week after the President signed the bill into law. It probably takes a week just to move a paper like that through the State Department bureaucracy.

In truth, it demeans the process, making a national security waiver a waive-it-when-you-feel-like-it waiver, rather than a last resort when other priorities intrude.

And so, I ask the administration, how shall we do business with one another in the future? Does the administration want us to eliminate such waiver authorities, so that its officers are required to give our concerns a fair hearing?

The administration needs to do more to make sure that U.S. policy and U.S. assistance to Indonesia promote TNI accountability and discourage the impunity the TNI still enjoys. I respectfully disagree with MG Djasri Marin. Nobody can step towards the future by burying the past.

We are intensely interested in Indonesia's future and the success of its democracy. Indonesia is the world's fourth most populous country, with an Islamic population larger than that of

any other country on the planet. It unwillingly hosts a number of radical terrorist groups that have killed hundreds of Indonesian citizens and hundreds of foreign visitors to Indonesia's shores. It sits astride vital trade routes linking the Middle East to the Pacific.

We want Indonesia to succeed, and we will continue to support the Indonesian Government and the Indonesian people. But uncritical assistance to the TNI will only hinder Indonesia's democratic transition and undermine our interests in that country.

We know Indonesia faces a serious terrorist threat and that the Indonesian authorities must act to protect their nation's citizens from that threat. We have urged closer U.S. cooperation with Indonesian police authorities to face down terrorism, and we support efforts to fund, train, and equip the Indonesian police's antiterrorism units. We applaud the Indonesian Government's determination to vet all members of such units to make sure they have not been involved in human rights violations.

We do not dispute that the TNI could play an important and appropriate role in Indonesia's own fight against terrorism, but we cannot ignore the institution's history of human rights abuses. We should not lend American support to an unreformed TNI, a TNI that no Indonesian democratic institution can hold accountable for human rights abuses. Congress clearly expressed its intent in this regard.

We will find ourselves on shaky ground—and place our counterterrorism strategy in the region at risk—if we do not press for reforms in an Army that considers itself above the law.

I strongly urge the State Department to reconsider its decision to waive in such a preemptory fashion the restrictions placed upon military assistance to Indonesia by this Congress. The administration needs to provide Congress with a better sense of the benchmarks it is using to encourage TNI reform and measure TNI progress. And it needs to use its waiver authority more judiciously if it expects Congress to continue granting such authority.

DORRANCE SMITH

Mr. WARNER. Mr. President, earlier this week, the Committee on Armed Services favorably reported the nomination of Mr. Dorrance Smith to the full Senate. Mr. Smith is an experienced and highly accomplished television executive, who has been nominated to be the Assistant Secretary of Defense for Public Affairs. I have a copy of Mr. Smith's biography, and I would note that he is a four-time Emmy award winning television producer who spent 9 months in Iraq from 2003 to 2004 where he served as Senior Media Advisor to Ambassador Paul Bremer. I have met with Mr. Smith on several occasions. I believe him to be highly qualified, and I fully support his nomination.

At a full Armed Services Committee hearing on October 25, 2005, and later, at an executive session of the Armed Services Committee on December 13, at which Mr. Smith was present, he fully and respectfully answered all questions posed to him. Many questions focused on an op ed article he wrote as a private citizen that appeared in the Wall Street Journal on April 25, 2005. In this article, based on his "in the trenches" experience as Ambassador Bremer's senior media advisor in Baghdad, Mr. Smith questioned the practice relied on by major media outlets in the United States of airing video of insurgent attacks supplied by the Arab satellite news channel Al Jazeera. I am satisfied with Mr. Smith's responses. I would note that no major media outlet, except Al Jazeera, expressed any concern about Mr. Smith's op ed.

The post of Assistant Secretary for Public Affairs has been vacant since June 2003. Mr. Smith is an outstanding nominee. I urge favorable, rapid action by the full Senate on his nomination.

I ask unanimous consent that the above-referenced biography be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DORRANCE SMITH

Dorrance Smith is a four-time Emmy award winning television producer, political consultant, and media strategist who has worked over 30 years in television and politics.

Mr. Smith spent nine months in Iraq in 2003–2004 where he served as Senior Media Adviser to Ambassador Paul Bremer. He was responsible for developing a state of the art communications facility in Baghdad for the Coalition Provisional Authority and a public diplomacy strategy for the United States government. In addition, Mr. Smith was asked to overhaul the fledgling Iraqi Media Network. By April, 2004 this effort was deemed so successful that the terrestrial channel—Al Iraqiya—was launched on satellite. For his efforts he was awarded the Secretary of Defense Medal for Exceptional Public Service.

More recently he has been a consultant to the Joint Congressional Committee on Inaugural Ceremonies and the 2004 Republican National Convention.

A four time Emmy Award winning ABC News and Sports producer, he has held a number of positions at the network, including serving as the first executive producer of "This Week with David Brinkley."

From 1989 until 1991, Smith was the executive producer of ABC News "Nightline." During his tenure he was responsible for the weeklong "Nightline" series originating from South Africa, which covered the release of Nelson Mandela. The broadcasts won an Emmy award. In addition he served as executive producer of the prime time special "Tragedy at Tiananmen—The Untold Story," which was honored with the duPont Columbia University Award, the Overseas Press Club Award and an Emmy. "Nightline" also won an Emmy in 1991 for outstanding news coverage of the Iraqi invasion of Kuwait.

Prior to his work on "Nightline," Smith was the executive producer of the number one rated Sunday public affairs program, "This Week with David Brinkley," a post he held from the program's inception in 1981

until 1989. During his tenure the broadcast received the first Joan Barone Award, the George Foster Peabody Award, and was named the Best National TV Interview Discussion Program by the readers of the Washington Journalism Review.

In 1991 Smith left ABC News to become Assistant to the President for Media Affairs at the White House. In this capacity Smith handled all television and radio events involving President Bush, members of the White House staff and Cabinet. In addition his office handled all regional media; coordinated media strategy for administration officials seeking confirmation; and organized the debate preparation during the 1992 political campaign.

In 2001, Smith was designated by FEMA Director Joe Allbaugh to handle all media following the events of September 11th. In this capacity Smith was responsible for FEMA's media strategy for print, radio and television. Smith organized and distributed the now famous FEMA video feeds from Ground Zero. He reorganized the Public Affairs Office to meet the post September 11th media demands.

At ABC News, Smith became executive producer of all weekend news programming in 1980. He was responsible for the production and programming of "World News Saturday," "World News Sunday," "The Weekend Report," and "The Health Show."

Prior to his weekend assignment, Smith was Washington producer of ABC News' "The Iran Crises: America Held Hostage." He also served as ABC News Senior Producer at the 1980 Winter Olympics, the 1984 Winter and Summer Games, and the 1988 Winter Olympics in Calgary.

From 1978–1979, Smith served as ABC News' White House producer. Smith joined ABC News as a Washington producer in 1977. Previously he was staff assistant to President Gerald Ford.

He began his broadcasting career at ABC Sports in 1973 as an assistant to the producer. In 1974 he was made Manager of Program Planning for ABC's Wide World of Sports.

Smith is a member of the Advisory Council for the George Bush Library in College Station, Texas.

He graduated from Claremont Men's College in 1973 with a Bachelor of Arts degree. He lives in McLean, Virginia.

FIRST SESSION OF 109TH CONGRESS

Mr. ALLARD. I rise today to speak in review of the first session of this 109th Congress. I have served in the Congress since 1991, and I can say without exaggeration that this year has been the single most productive year I have participated in. As I will detail, we have passed numerous significant legislative items, some of which have languished in Congress for many years. We have stayed a determined course in the global war on terror, maintaining our commitment to our troops and to those eager to adopt a democratic way of life in place of tyranny. We have stayed a proven course to reduce the tax burden on Americans and on American business. Economic indicators in the markets, home ownership data, and employment all illustrate the wisdom of this course. This Congress has shown a very real commitment to principle. While there are those in this body and in the media who would like to deny it,